

# UZBEKISTAN 2021 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Uzbekistan is a constitutional republic with a political system led by President Shavkat Mirziyoyev and his supporters. On October 24, the government held presidential election and President Mirziyoyev won re-election with 80.2 percent of the total votes. A genuine choice of political alternatives was not available to voters because true opposition candidates were unable to register or run for office. The Organization for Security and Cooperation in Europe stated, “while election day was peaceful, significant irregularities were observed and important safeguards were often disregarded during voting, counting, and tabulation.”

The government authorizes four different entities to investigate criminal activity and provide security. The Ministry of Internal Affairs controls police, who are responsible for law enforcement, maintenance of order, and the investigation of crimes. It also investigates and disciplines police officers if they are accused of human rights violations. The National Guard provides for public order and the security of diplomatic missions and radio and television broadcasting, and other state entities. The State Security Service, whose chairperson reports directly to the president, deals with national security and intelligence matters, including terrorism, corruption, organized crime, border control, and narcotics. The Prosecutor General’s Office is mandated to protect the rights and freedoms of citizens and legally protected interests of the state, to conduct preliminary investigations of crimes, and to prosecute persons and entities accused of crimes. Civilian authorities generally maintained effective control over the security forces, but security services permeated civilian structures. Civilian authorities opaquely interacted with security services’ personnel, making it difficult to define the scope and limits of civilian authority. There were reports that members of the security and law enforcement agencies, particularly police and prison officials, committed abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings; torture or cruel, inhuman, or degrading treatment or punishment; arbitrary arrest or detention; political prisoners;

politically motivated reprisal against individuals in another country; serious restrictions on freedom of expression and media, including censorship and the existence of criminal libel and slander laws; substantial interference with freedom of peaceful assembly and freedom of association, including restrictions on civil society organizations, human rights activists, and others who criticized the government; severe restrictions on religious freedom; restrictions on freedom of movement; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; trafficking in persons; and existence and use of laws criminalizing consensual same-sex sexual conduct between adults; and significant restrictions on workers' freedom of association.

Impunity of government officials remained pervasive despite some efforts by law enforcement agencies to investigate officials for human rights abuses and corruption.

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were reports that the government or its agents committed arbitrary or unlawful killings.

On August 3, Radio Free Europe/Radio Liberty reported that authorities arrested two police officers in the southern Surkhandaryo Region for allegedly beating detainee Hasan Hushmatov to death. On July 29, the Prosecutor-General's Office stated the officers were charged with abuse of office and premeditated infliction of serious bodily harm, which led to Hushmatov's death. No trial date was set by the Denov District Criminal Court in the Surkhandaryo Region by year's end.

On June 10, the chairman of human rights nongovernmental organization (NGO) Ezgulik reported that Aziz Akhmedov, first deputy head of the tax inspectorate of the Kattakurgan District, died as a result of violence used by officers of the Road Patrol Service. The Prosecutor General's Office initiated a criminal case and on September 10, completed its investigation and indicted M. Kuchkarov and Sh.

Rakhimberidev on charges of abuse of authority and causing inadvertent death.

## **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

## **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The country has laws governing the conduct of law enforcement officers and addressing torture, including language that states, “Employees of the Ministry of Internal Affairs may not employ torture, violence, or other cruel or degrading treatments. The employee of the Ministry of Internal Affairs is obliged to prevent intentional acts causing pain, physical, or moral suffering to the citizen.” The law bans the use of evidence obtained by torture in court proceedings. In addition an antitorture law includes liability for the use of torture and other inhuman or degrading treatment. Prior to the adoption of the law, there were formal obstacles to the prosecution of persons involved in torture. These restrictions were eliminated.

In 2020 the UN Committee Against Torture concluded “that torture and ill-treatment continue to be routinely committed by, at the instigation of and with the consent of the State party’s law enforcement, investigative and prison officials, principally for the purpose of extracting confessions or information to be used in criminal proceedings.” These conclusions remained valid despite additional efforts by government at reform. In addition a number of criminal trials during which defendants raised torture allegations, as well as several trials of persons charged with committing torture, were closed to the public. Court decisions in those cases were not publicly available.

According to human rights activists, although the practice of coordinated, top-down orders to torture specific detainees had ceased, law enforcement officers’ methods and attitudes had not and that most abuse occurred during interrogations, where police used physical abuse such as beatings and psychological tactics to gain confessions. Under the country’s legal system, psychological pressure and threats are not considered abuse or mistreatment.

There were numerous reported abuses similar to the following examples. On February 15, the NGO International Partnership for Human Rights reported allegations of physical abuse of a transgender woman, Nigina, at Tashkent Prison 7. Nigina was serving a three-year sentence for a January 2020 conviction of drug possession. On February 18, a representative of the Office of the Ombudsman for Human Rights visited Nigina and confirmed she had been beaten and harassed. In May her case was reopened and on June 22, a court ordered her release to house arrest pending trial.

In June 2020 prison guards beat and killed Farrukh Khidirov, a prisoner in Penal Colony Number 11 in the Navoi Region. According to human rights activists, a few days before his death, Khidirov told a family member that prison officers were demanding money from him. Khidirov spent eight days in the hospital before his death. Following Ezgulik's publication of a report on the killing, the Main Directorate of Corrections of the Ministry of Internal Affairs issued a statement that, "The body was examined by the Prosecutor's Office, no bodily injuries were detected, and an appropriate examination was appointed regarding the incident." No charges were filed against officers allegedly involved in Khidirov's death.

### **Prison and Detention Center Conditions**

Prison conditions were in some circumstances harsh and life threatening due to food shortages, gross overcrowding, physical abuse, and inadequate sanitary conditions and medical care.

**Physical Conditions:** The prison population exceeded capacity by approximately 40 percent. There were no reports of authorities holding men, women, or juveniles together during pretrial detention or following conviction and no reports indicating that conditions varied by gender. Access to potable water and food of good quality and to showers or other sanitary facilities was poor. Inmates often relied upon visiting family members to provide necessary provisions. Cells were often crowded, and heating, cooling, and lighting were inadequate in older facilities. The availability of medical care was limited in some detention facilities.

Following their release political prisoners reported to Human Rights Watch and others they were beaten and tortured, including being held in stress positions, while

in prison.

According to the Ministry of Internal Affairs, prisoners are entitled to outdoor exercise during nonworking hours. Prison rules also state that inmates should undergo a medical examination upon request and at intervals of not more than six months. No information on implementation of these rules was publicly available.

Although no data were available on the incidence of HIV/AIDS, international experts stated the rate of HIV/AIDS was likely higher in prisons than in the general population. Authorities reported 280 cases of tuberculosis, 617 cases of COVID-19, and vaccinations of 13,802 prisoners for COVID-19. Poor compliance with treatment plans and other implementation problems undermined government efforts to lower infection rates.

**Administration:** The Human Rights Ombudsman's Office and the Prosecutor General's Office may investigate complaints from detainees and the public. The Ombudsman's Office may make recommendations on behalf of specific prisoners, including changes to the sentences of nonviolent offenders to make them more appropriate to the offense. Some family members of detained or released prisoners stated the Office of the Ombudsman did not respond to their complaints. Some human rights activists reported that lawyers had no problems meeting with their clients, although others disputed this, saying access was both limited and monitored. Prison officials typically allowed family members to visit prisoners for up to four hours two to four times per year. Officials also permitted longer visits of one to three days two to four times per year, depending on the type of prison facility, as well as overnight stays.

The government stated that prisoners have the right to practice any religion, but some prisoners complained to family members that prison authorities did not permit them to observe religious rituals that conflicted with the prison's schedule. Such rituals included traditional Islamic morning prayers. While some activists reported this situation had improved, others stated the restriction continued. Authorities forbid all prisoners to observe religious holidays, such as Ramadan, with no fasting allowed. Although some prison libraries had copies of the Quran and the Bible, family members continued to complain that authorities did not allow all religious prisoners access to religious materials.

According to official government procedures, prisoners have the right to “participate in religious worship and family relations, such as marriage.” Close relatives also have the right to receive oral and written information from prison officials regarding the health and disciplinary records of their family members. Families continued to report that the government provided limited to no information or withheld information contained in health and prison records.

**Independent Monitoring:** UNICEF regularly visited the country’s four juvenile offenders’ colonies. The International Committee for the Red Cross had not visited detainees since 2013. Some independent observers had limited access to some parts of the penitentiary system, including pretrial detention facilities, women’s prisons, and prison settlements. Ezgulik, however, reported it had no problems accessing any prisoner.

#### **d. Arbitrary Arrest or Detention**

The constitution and the law prohibit arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government did not always observe these requirements.

#### **Arrest Procedures and Treatment of Detainees**

By law a judge must review any decision to arrest accused individuals or suspects. Judges granted arrest warrants in most cases. Detention without formal charges is limited to 48 hours, although a prosecutor may request that a judge extend detention an additional 48 hours, after which the person must be charged or released. Judges typically grant such requests, and the judge who issues such an extension is often the same one that presides over the trial, which creates incentives to cover up violations. The arresting authority is required to notify a relative of a detainee of the detention and to question the detainee within 24 hours of arrest.

Once authorities file charges, suspects may be held in pretrial detention for up to three months while investigations proceed. The law permits an extension of the investigation period for as much as seven months at the discretion of the appropriate court upon a motion by the relevant prosecutor, who may also release a prisoner on bond pending trial. Those arrested and charged with a crime may be

released without bail until trial on the condition they provide assurance of “proper behavior” and that they would appear at trial. Authorities typically held suspects after the allowable period of detention, according to human rights advocates. The judge conducting the arrest hearing is allowed to sit on the panel of judges during the individual’s trial.

The law allows detainees to request hearings before a judge to determine whether they should remain incarcerated or released before trial. Authorities often granted these hearings but typically granted detention requests from prosecutors, thereby undermining the spirit of judicial oversight.

The law authorizes the use of house arrest as a form of pretrial detention. By law an investigator, magistrate, or judge may order release of a detainee on bail. The minimum amount set for bail is 5.4 million soums (\$500) and there is no set maximum bail amount.

Defendants have the right to legal counsel from the time of arrest. State-appointed attorneys are available for those who do not hire private counsel. The country had relatively few defense lawyers, and activists stated this likely was due to lower levels of pay, prestige, and influence in comparison to judges and prosecutors. Officials did not always respect the right to counsel and occasionally forced defendants to sign written statements declining the right. Authorities’ selective intimidation and disbarment of defense lawyers produced a chilling effect that also compromised detainees’ access to legal counsel.

Some defense lawyers noted difficulty in accessing clients, the lack of private meeting spaces at law enforcement facilities to meet with detainees, and the lack of access to information regarding their client’s case.

The law requires authorities at pretrial detention facilities to arrange a meeting between a detainee and a representative from the Human Rights Ombudsman’s Office upon the detainee’s request. Officials allowed detainees in prison facilities to submit confidential complaints to the Ombudsman’s Office and the Prosecutor General’s Office.

The law provides for the National Guard, the Prosecutor General’s Office, and police to surveil electronically attorneys’ communications with clients. With the

consent of the prosecutor or an investigator, officials (including prosecutors, investigators, and of state bodies) may have access to conversations, messages, and other forms of information conveyed between a defendant and his or her lawyer by telephone and other telecommunications devices. Officials may also record these conversations. In some cases authorities detained suspects and required them to sign nondisclosure agreements that prevented them from discussing their cases publicly. Human rights lawyers complained authorities used this tactic to prevent lawyers and clients from receiving outside assistance or boosting publicity regarding their cases.

There were reports of incommunicado detention. According to the NGO Ezgulik, on May 24, authorities took G. Saidganieva from Zangiota District into custody and held her in pretrial detention for 21 days without being allowed to communicate her arrest to her family or her lawyer. Her sister filed a complaint with Ezgulik which helped provide Saidganieva with a lawyer, and authorities subsequently released her.

**Arbitrary Arrest:** There were credible reports that police and state security officials routinely harassed and detained existing and former prisoners. For example, pro-lesbian, gay, bisexual, transgender, and queer (LGBTQI+) blogger Miraziz Bazarov, charged on April 29 by the Mirabad District Court with defamation for comments made in response to Islamic bloggers, remained under house arrest with no trial date set at year's end.

The government phased out the use of preventive watch lists. An activist on the list worked with former religious detainees and reported local police and state security officials routinely harassed them, called them into police departments to put pressure on them, and made employment and other day-to-day functions difficult through the arbitrary application of regulations.

**Pretrial Detention:** No data were available on the approximate percentage of the prison and detainee population in pretrial detention, the average length of time held, or whether the length of pretrial detention frequently equaled or exceeded the maximum sentence if convicted of offenses charged. Authorities did not provide access to a court for detainees to challenge the length or validity of pretrial detention, despite the law granting detainees the right to do so. Even when



authorities did not file charges, police and prosecutors frequently sought to evade restrictions on the length of time that persons could be held without charges.

### **e. Denial of Fair Public Trial**

The constitution provides for an independent judiciary; however, the judiciary does not operate with complete independence and impartiality. The Prosecutor General's Office and other law enforcement bodies occasionally exerted inappropriate pressure on members of the judiciary to render desired verdicts. Judges are appointed by the Supreme Judicial Council, subject to concurrence by the Senate. By law the Supreme Judicial Council may dismiss judges arbitrarily, regardless of the length of their terms, making them vulnerable to political pressure.

### **Trial Procedures**

The law provides for the right to a fair and public trial, but this was not always the case. The law specifies a presumption of innocence and that the defendant be informed promptly of the charges against the defendant.

The government provided legal counsel and interpreters without charge when necessary. According to credible reports, state-appointed defense attorneys routinely acted in the interest of the government rather than of their clients because of their reliance on the state for a livelihood and fear of possible recrimination.

Madad, a nonprofit NGO, helped increase legal awareness and provided free legal advice and practical legal assistance, including through the operation of an online portal *Advice.uz* (*e-maslahat.uz*).

Defendants have the right to attend court proceedings, confront prosecution witnesses, and present evidence, but judges often declined defense motions to summon additional witnesses or to enter evidence supporting the defendant into the record. Defendants have a right to communicate with an attorney of their choice or have one provided at public expense if unable to pay for one. They have a right to adequate time and facilities to prepare a defense. Defendants who do not speak the Uzbek language have a right to free assistance of an interpreter. Defendants have a right not to testify or to confess guilt. The law provides a right of appeal, but

appeals rarely resulted in reversal of convictions. Nevertheless, in some cases appeals resulted in reduced or suspended sentences.

## **Political Prisoners and Detainees**

There were reports of political prisoners or detainees.

On May 10, antigovernment blogger (an individual who writes commentary in a website or web page) Otabek Sattoriy was convicted of extortion and slander and sentenced to 6.5 years in prison (see also section 2.a.). On June 17, government authorities released long-term religious prisoner Khayrullo Tursunov, who was sentenced to a 16-year prison term for conviction of religious extremism in 2013. In 2020 the government released four high-profile prisoners. According to Ezgulik and other human rights NGOs, Rustam Abdumannopov, Iskandar Khudaiberganov, and Akrom Malikov were the only three remaining political prisoners in the country at the time of their release. All three were convicted for plotting to overthrow the government or the constitutional order. The fourth prisoner, former imam Rukhitdin Fakhritdinov, was serving a sentence for conviction of terrorism.

An estimated 2,200 prisoners, approximately 10 percent of the country's prison population, were held for crimes related to their religious beliefs.

In years past the government targeted peaceful political dissidents and convicted them of engaging in terrorist and extremist activities or for belonging to what the government called religious fundamentalist organizations. There were no reports of such detentions during the year. NGO representatives stated they could not independently verify the numbers of such individuals who remained in detention.

Authorities sometimes did not provide political prisoners and detainees the same protections as other detainees, including by holding some incommunicado for prolonged periods of time, limiting their access to lawyers of their choosing, and psychologically intimidating some of them. The government sometimes did not permit access to such persons by human rights or humanitarian organizations.

According to numerous former political prisoners, the government provides released prisoners with an allowance upon parole to help them reintegrate into society, although some reported not receiving all promised benefits. Such

allowances include travel expenses to one's place of residence, health benefits, and the issuance of an internal passport, which is the primary form of identification in the country. Upon release, convicts sign a document acknowledging they understand the terms of their parole. This document typically includes a prohibition on travel abroad for up to one year. In prior years several former prisoners reported that authorities levied a monetary fine against them as a condition of their parole. Failure to abide by the terms of payment may result in the termination of parole. For example, one former prisoner was reportedly required to pay 20 percent of his monthly salary to the government for 18 months following his release.

During the year high-level government officials periodically visited different regions of the country to conduct outreach to prisoners, and the government stated it maintained this policy. The government allowed access to representatives of some local NGOs and international organizations, but not the International Committee of the Red Cross. COVID-19-related movement restrictions and strict quarantine protocols issued throughout the country also affected the ability of officials to conduct such visits.

Some former political prisoners pointed out that they were still considered criminals because authorities did not fully exonerate them upon their release from prison. Three former political prisoners, including Azam Farmonov, released in 2017 after serving 11 years of a 13-year sentence, attempted to register an NGO named Restoration of Justice three times in 2019, without success. In 2020 the Ministry of Justice registered the NGO under a different name, Hoquqiy Tayanch (Legal Pillar); the NGO sought redress for the unlawful detention of political prisoners, including clearing their records through exoneration, expungement, or other means.

**Amnesty:** During the year the president ordered the release or reduced the sentences of 81 prisoners convicted of religious extremism or on other religious charges.

### **Politically Motivated Reprisal against Individuals Located Outside the**

## **Country**

Unlike in 2020 there were no reports of politically motivated reprisal against individuals located outside of the country.

## **Civil Judicial Procedures and Remedies**

Citizens may file suit in civil courts for alleged human rights violations by officials, excluding investigators, prosecutors, and judges. Civil society reported in the past that bribes accepted by judges influenced their decisions in these cases. Local human rights defenders have supported such suits.

## **Property Seizure and Restitution**

Government urban renewal campaigns to demolish older, Soviet-era apartment blocks and private homes in Tashkent and other regions continued to displace citizens from their homes or businesses, often without due process or adequate restitution.

In February the Appeal Commission of the Navoi Regional Court on Civil Cases upheld the ruling of Karmaninsky District Court of Navoi to terminate the rights to the land of six property holders and transfer their property to the private developer Alfa Grand Buildings LLC.

On May 7, the Mirabad Interdistrict Court for Civil Cases in Tashkent ordered the eviction of Olga Abdullayeva, her daughter, and three minor grandchildren, including a four-month-old infant, from their house in Tashkent. The developer Training Project LLC had sought permission to build a high-rise apartment building at the site dating back to 2019. Abdullayeva had yet to be evicted by year's end.

On June 9, Deputy Prosecutor General Shavkatjon Rakhimov stated that more than 297,000 acres of land had been misappropriated and aimlessly allocated during the prior two years by authorities. According to Rakhimov, prosecutors protested more than 7,500 decisions of district and city *khokims* (local district, regional, and city administrations) to allocate land since 2019; administrative courts overturned more than 2,500 decisions. Rakhimov stated his office brought related criminal

charges against 588 officials.

## **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

Although the constitution and law forbid arbitrary or unlawful interference with privacy, family, home, or correspondence, authorities did not respect these prohibitions. The law requires that prosecutors approve requests for search warrants for electronic surveillance, but there is no provision for judicial review of such warrants.

In 2019 the government adopted a unified statute addressing matters related to personal data protection and processing. Previously, numerous laws and resolutions regulated the government's protection of and processing procedures for individuals' personal data, which complicated compliance requirements.

There were no reports of raids of the homes of religious groups' members and unregistered congregations.

The government continued to use an estimated 12,000 *mahalla* (neighborhood) committees as a source of information on potential "extremists." The committees provide various social support functions, including the distribution of social welfare assistance to the elderly, single parents, or families with many children; intervention in cases of domestic violence; and adjudication of disputes among residents, but they also inform government and law enforcement authorities on community members. In 2020 the president issued a decree that established the Ministry for the Support of Community (*Mahalla*) and Family Affairs. The ministry is tasked with facilitating close cooperation between state-level government and the local mahallas on women, family, and social structure matters.

Mahallas in rural areas tended to be more influential than those in cities.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and**

## Other Media

The constitution and law provide for freedom of expression, including for members of the press and other media, but the government restricted these rights.

**Freedom of Expression:** The government officially and unofficially restricts the ability of individuals to criticize the government or discuss matters of public interest, including laws criminalizing libel and slander as “hate speech.” The law restricts criticism of the president, and publicly insulting the president is a crime for which conviction is punishable by up to five years’ imprisonment. The law specifically prohibits publication of articles that incite religious conflict and ethnic discord or that advocate subverting or overthrowing the constitutional order.

On May 10, the Muzrabad Criminal Court (Surkhandaryo Region) convicted blogger Otabek Sattoriy of extortion and slander and sentenced him to six years and six months in prison. On January 30, he was arrested after taking videos of merchants and reporting on price gouging in local bazaars. The Committee to Project Journalists and Human Rights Watch expressed concern regarding the government’s handling of the case. The case was appealed and on July 15, the Samarkand Regional Criminal Court sustained the conviction and sentence, but it reversed a ruling authorizing confiscation of Sattoriy’s personal assets. Sattoriy filed an appeal with the Supreme Court.

**Freedom of Expression for Members of the Press and Other Media, Including Online Media:** Independent media did not operate freely because the state exercises control over media coverage. All media entities, foreign and domestic, must register with authorities and provide the names of their founders, chief editors, and staff members. Print media must also provide hard copies of publications to the government. The law holds all foreign and domestic media organizations accountable for the accuracy of their reporting, prohibits foreign journalists from working in the country without official accreditation, and requires foreign media outlets to conform to domestic media laws. The government used accreditation rules to deny some foreign journalists and media outlets the opportunity to work in the country. For example, the government continued to deny Radio Free Europe/Radio Liberty’s accreditation request. Other broadcasters, such as the BBC, the Voice of America, and Eurasianet, were accredited.

On June 2, the Ministry of Foreign Affairs declined to renew the accreditation of Polish journalist Agnieszka Pikulicka, citing her “violations of laws of Uzbekistan.” In February she reported governmental officials had sexually harassed and intimidated her during her last accreditation request as an *al-Jazeera* correspondent. On April 1, the Ministry of Internal Affairs published accusations on its website stating Pikulicka violated several laws with her tweets concerning LGBTQI+ abuses.

The government prohibited the promotion of religious extremism, separatism, and fundamentalism as well as the instigation of ethnic and religious hatred. The law holds bloggers accountable for the accuracy of their posts and prohibits content deemed defaming to an individual’s “honor and dignity.” A few purportedly independent websites consistently reported the government’s viewpoint. The government-run Ozbekistan is a 24-hour news channel that broadcasts current affairs and news in Uzbek, Russian, and English.

**Violence and Harassment:** Police and security services subjected print and broadcast journalists to arrest, harassment, and intimidation.

During the COVID-19 pandemic, some journalists reported a “negative trend” in terms of media freedom, citing daily reports of harassment of journalists and bloggers. Some journalists stated they believed the security services used the pandemic to remind media that “they are still in charge,” despite the president’s public claims that journalists and bloggers were a vital part of the country’s reform process.

There were numerous reported abuses similar to the following examples. For example, on April 22, police in Tashkent arrested freelance journalist and contributor to the independent news website *Fergana*, Sid Yanishev. According to Yanishev, he demanded the presence of lawyer. Police ignored his demand and attempted to pressure him into signing a form giving up his right to representation. He was charged and convicted of “spreading false information” in an article in which he described corruption allegations against a local construction company. The Committee to Protect Journalists condemned the harassment of Yanishev and urged authorities to allow journalists to work freely.

On June 7, three *Effect.uz* journalists were reportedly beaten by a mob in Andijan. The mob was allegedly headed by the son of the chairperson of the Andijan City Council, S. Siyaya. One of the assaulted journalists, Abror Eshankhanov, posted a video describing the incident and appealed to several law enforcement agencies to take legal action against the attackers. The Uzbek Journalists Association called on the government to take appropriate measures and stressed the incident contradicted freedom of speech and the press.

On September 7, online outlet *Qalampir.uz* published a video stating that a Prosecutor's Office member threatened to order the arrest the media crew of journalist Feruza Najmiddinova, legal adviser Shokhrukh Olimdjanov, and cameraman Khojamiyor Kholmatov unless it removed a video it posted of a group of business owners complaining of the illegal demolition of business buildings and homes by the government.

**Censorship or Content Restrictions:** Journalists and senior editorial staff in state media organizations reported that some officials' responsibilities included censorship. In many cases the government placed individuals as editors in chief to serve as the main censor for a particular media outlet. Continuing the past trend of moderate criticism of the government, online publications such as *Kommersant.uz* and *Nuz.uz* published some critical stories on matters such as demolitions, ecological problems, electricity outages, currency, trade, and the black market. In addition the literary journal *Adobiyat Gazetesi* published stories by authors who were on a "blacklist," which resulted in scrutiny that limited its ability to publish.

There was often little distinction between the editorial content of government and privately owned newspapers. Journalists engaged in limited investigative reporting. Widely read tabloids occasionally published articles that presented mild criticism of government policies or discussed problems that the government considered sensitive, such as trafficking in persons.

There were numerous reported abuses similar to the following examples. On February 4, chief editor of popular Islamic website *Azon.uz* Abdulaziz Muborak announced he was resigning because he was threatened by the deputy chair of the Uzbek Religious Committee Dilshod Eshnayevev for articles he wrote regarding religious reform, including a proposal to conduct Quran classes in residential



neighborhoods. On April 21, the online outlet *Kun.uz* stated that the Information Security Department of the State Security Service continued to pressure it and other news agencies to delete articles.

**Libel/Slander Laws:** The criminal and administrative codes impose substantial monetary fines for defamation, including libel and slander. The government used charges of libel, slander, and defamation to punish journalists, human rights activists, and others who criticized the president or the government. Nevertheless, some bloggers and activists openly criticized the government on social media without legal reprisal.

On March 30, the president signed a law establishing criminal liability for publicly insulting or defaming the president using social networks, the internet, or both. Conviction of an offense is punishable by three years' correctional labor, restriction of movement for two to five years, or up to five years' imprisonment.

On April 19, the Jizzakh Regional Prosecutor's Office announced the State Security Service had detained Valijon Kalanov for insulting the president on social media. According to the statement, Kalanov posted a video misinterpreting the president's reforms on his Facebook and YouTube pages opened under the nickname V.K. that "insulted and slandered the president and disseminated information that had a negative impact on the president's reputation." Human rights activists reported that Kalanov was forcibly admitted to a psychiatric clinic, but no further information was available concerning Kalanov's legal case.

## **Internet Freedom**

According to the Ministry of Justice, the government has the authority to block websites or blogs without a court order. The government implemented procedures for restricting access to websites that include "banned information." Based on these regulations, a website or blog could be blocked for calling for the violent overthrow of the constitutional order and territorial integrity of the country; spreading ideas of war, violence, and terrorism, as well as religious extremism, separatism, and fundamentalism; disclosing information that is a state secret or protected by law; or disseminating information that could lead to national, ethnic, or religious enmity or involves pornography, or promoting narcotic usage.

Amendments to the administrative and criminal codes passed in March stipulate that conviction of insulting or slandering the president online or in the press is punishable by up to five years' imprisonment.

The government generally allowed access to the internet, including news and social media sites. Media law defines websites as media outlets, requiring them to register with authorities and provide the names of their founders, chief editors, and staff members. The government blocked *Forum 18*, a human rights news website.

On July 6, Twitter, TikTok, and VKontakte reported they were blocked due to noncompliance with a government requirement to store the personal data of citizens at local data centers, according to the State Inspectorate for Control of Informatization and Telecommunications (*Uzkomnazorat*); the sites remained blocked at year's end. On May 18, authorities ordered social media networks and global internet companies to process personal data of citizens on servers located in the country.

Several active online fora allowed registered users to post comments and read discussions on a range of social problems. To become a registered user in these forums, individuals must provide personally identifiable information. It was not clear whether the government attempted to collect this information, although provisions of the law require internet cafe proprietors to log customers' browser history.

In April the Law on Personal Data, which requires companies to store the personal data of citizens on servers in the country, came into effect. Additionally, these servers must be registered with *Uzkomnazorat*.

In May, *Uzkomnazorat* issued a warning to Mail.ru/VKontakte, Twitter, and Tencent (WeChat); in July it restricted access to TikTok, Twitter, VKontakte, WeChat, and Skype messenger. Unless the user's IP address and data could be hidden through use of a VPN (virtual private network), those sites remained inaccessible at year's end. Because most of these networks were not widely used in the country, there was little public outcry concerning their blockage.

On November 3, *Uzkomnazorat* shut down Facebook, Instagram, LinkedIn, MyWorld, Telegram messenger app, YouTube, and Odnoklassniki for three hours.

In response the president fired Uzkomnazorat head Golibsher Ziyaev and released a statement through his press secretary describing Ziyaev's action "erroneous and uncoordinated."

### **Academic Freedom and Cultural Events**

The government continued to limit academic freedom and cultural events. Authorities occasionally required department-head approval for university lectures, and university professors generally practiced self-censorship.

### **b. Freedoms of Peaceful Assembly and Association**

The government sometimes restricted freedoms of peaceful assembly and association.

#### **Freedom of Peaceful Assembly**

The constitution and law provide for freedom of assembly. While the government restricted this right, it sometimes allowed individuals to exercise this freedom without reprisal.

Although the law requires demonstrators to obtain permits, most demonstrators proceeded without filing permit applications. In some incidents authorities subjected citizens to substantial monetary fines, threats, arbitrary detention, or abuse for violating procedures for organizing meetings, rallies, and demonstrations or for facilitating unsanctioned events by providing space, other facilities, or materials. Organizers of "mass events" with the potential for more than 100 participants must sign agreements with the Ministry of Internal Affairs for the provision of security prior to advertising or holding such an event.

Local media reported that on July 13, police dispersed approximately 200 young persons gathered on Amir Temur Square in Tashkent to welcome Russian blogger Subkhan Mamedov (known as Subo). The Tashkent Central Internal Affairs Department brought an administrative charge against 26 individuals for violating COVID-19 pandemic mitigation measures; Subo was included among those charged.

## **Freedom of Association**

While the law provides for freedom of association, the government continued to restrict this right. Authorities sought to control NGO activity, internationally funded NGOs, and unregulated Islamic and minority religious groups. The operating environment for independent civil society, in particular human rights defenders, remained restrictive, although several activists reported improved cooperation with government officials. Several independent NGOs continued to face barriers to registering locally due to earlier court orders against them or other objections by officials.

The Ministry of Justice, which oversees the registration of NGOs, requires NGOs to obtain the ministry's approval to hold large meetings with nonmembers, including foreigners; to seek the ministry's clearance on any event where materials are to be distributed; and to notify the ministry in writing of the content and scope of the events in question.

The government has a legal framework for public oversight of the activities of government bodies and government officials. In accordance with the law, citizens, citizens' self-governing bodies, noncommercial organizations, and media have the right to exercise oversight regarding activities of government bodies and officials.

There are legal restrictions on the types of groups that may be formed. The law requires that organizations with an operating budget and funds register formally with the government. The law allows for a six-month grace period for organizations to operate while awaiting registration from the Ministry of Justice, during which time the government officially classifies them as "initiative groups." Several NGOs continued to function as initiative groups for periods longer than six months.

The Ministry of Justice does not require NGOs to obtain approval to conduct events, but they must notify the ministry of plans to conduct public programs. The minimum period for informing the ministry of planned activities is 10 days before the start of an event without the participation of foreign citizens, and 20 days before the start of event with the participation of foreign citizens. The ministry provides NGOs with written notice only in cases of refusal to conduct the event.

The law also requires that NGOs file annual reports to the government.

The law grants the Ministry of Justice authority to inspect and audit NGOs. The administrative liability code imposes substantial monetary fines for violations of procedures governing NGO activity as well as for “involving others” in “illegal NGOs.” The law does not specify whether the term refers to NGOs suspended or closed by the government or merely NGOs not officially registered. The administrative code also imposes penalties against international NGOs for engaging in political activities, activities inconsistent with their charters, or activities the government did not approve in advance.

Due to the burdensome challenges registering NGOs, many prominent and respected organizations could not obtain registration from the government. As a result civil society remained stifled, and the level of regulations prevented organizations from establishing themselves.

### **c. Freedom of Religion**

See the Department of State’s *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

### **d. Freedom of Movement and the Right to Leave the Country**

The constitution and laws provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

**In-country Movement:** The government abolished the requirement to have a domicile registration stamp (formerly known as *propiska*) in internal passports before traveling domestically or leaving the country. Nevertheless, authorities at times delayed domestic and foreign travel and emigration through the passport application process.

The government continued to require hotels to register foreign visitors with the government daily. The government requires foreigners staying in private homes to register their addresses within three days of arrival. Authorities simplified these registration procedures, which allow foreigners to register through an online portal.

## **e. Status and Treatment of Internally Displaced Persons**

Not applicable.

## **f. Protection of Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, returning refugees, and other persons of concern.

**Access to Asylum:** A presidential decree provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

During the year the country experienced a flow of Afghan asylum seekers. Diplomatic representatives asked the government to permit UNHCR officials and humanitarian organizations access to the region and to facilities housing Afghan refugees and urged the government to allow flights of vulnerable Afghans to transit the country's territory.

**Freedom of Movement:** Individuals fleeing Afghanistan without visas for Uzbekistan were restricted to a secure camp in Termez near the border with Afghanistan.

**Temporary Protection:** The government provided temporary protection to individuals who may not qualify as refugees and provided it to approximately 14,100 persons during the year, including 498 persons who entered from Afghanistan in former Afghan-government military aircraft. Refugees were held in a secure residential camp near Termez pending third-country processing and relocation.

## **g. Stateless Persons**

In 2020 the president signed into law provisions that conferred citizenship to approximately 50,000 individuals. Prior to implementation of those provisions, there were more than 97,000 documented stateless persons in the country. In June

the president signed additional provisions into law to further reduce the number of stateless persons and to increase access to citizenship.

### **Section 3. Freedom to Participate in the Political Process**

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage. The government did not conduct free and fair elections, restricted freedom of expression, and suppressed political opposition.

#### **Elections and Political Participation**

**Recent Elections:** On October 24, presidential elections took place. All five registered political parties nominated candidates for the election. The Liberal Democratic Party of Uzbekistan nominated incumbent President Mirziyoyev as its candidate. The People's Democratic Party nominated Maksuda Varisova, the only female candidate. The National Revival Political Party nominated its leader Alisher Kadirov, the Adolat (justice) Party nominated Bakhrom Abdukhalimov, and the Ecological Party nominated Nazrullo Oblomurodov. President Mirziyoyev won re-election with 80.2 percent of the vote.

The slate of candidates represented parties that were vetted by the country's ruling party. Following international criticism of weak interaction among candidates, the Central Election Commission (CEC) arranged a pre-election debate at which none of the official candidates were present. Additionally, the CEC did not allow other candidates who might have offered different views to register. For example, authorities prevented Khidirnazar Allakulov of the Truth and Progress Party and former pop singer Jahongir Otajonov from registering and rejected their claims to have received the required number of signatures for registration.

Domestic civil society organizations could not legally monitor elections. The country's five political parties and international organizations were legally permitted to monitor the election.

The Organization for Security and Cooperation in Europe's Office of Democratic Institutions and Human Rights deployed an election observation mission of more than 200 monitors. Released prior to the announcement of the official election

results on October 25, the organization's preliminary report noted the government's "efficient and professional" management of the election. Nevertheless, the report stated, "While election day was peaceful, significant irregularities were observed and important safeguards were often disregarded during voting, counting, and tabulation."

In 2019 the government updated the election code and combined all election-related legislation into a single document to regulate pre-election work and administration of the elections, including to local councils. In addition to combining election-related laws, the law provides for a single electronic list of voters to facilitate the principle of "one voter-one vote." It also lifted voting rights restrictions on inmates incarcerated for misdemeanors or less serious crimes.

**Political Parties and Political Participation:** The law allows independent political parties. The Ministry of Justice has broad powers to oversee parties and may withhold financial and legal support to those it judges to be opposed to government policy. There were five registered political parties. In 2019 the government allowed the Ecological Party, an environmental movement founded in 2008, to register as a political party. The law makes it difficult for genuinely independent political parties to organize, nominate candidates, and campaign. The law allows the Ministry of Justice to suspend parties for as long as six months without a court order.

The government exercised control over established parties by controlling their financing and media exposure. By law election-related expenses are largely financed from the state budget. Private citizens and legal national entities may make modest monetary contributions ranging from 135 million soums (\$12,600) for private individuals to 1.35 billion soums (\$126,000) for legal entities. The law prohibits judges, public prosecutors, State Security Service officials, members of the armed forces, foreign citizens, and stateless persons from joining political parties. The law prohibits parties that are based on religion or ethnicity; oppose the sovereignty, integrity, or security of the country, or the constitutional rights and freedoms of its citizens; promote war or social, national, or religious hostility; or seek to overthrow the government. The law also prohibits the Islamist political organization Hizb ut-Tahrir, stating it promotes hatred and condones acts of terrorism. Independent party registration was suppressed and individuals not of an



approved party who sought to run for the presidency were excluded.

There were no noted instances of restrictions on civil society organizations monitoring of the election and international organizations, including Organization for Security and Cooperation in Europe short- and long-term monitors, were present in the run up to the October 24 election and on election day.

**Participation of Women and Members of Minority Groups:** No laws limit the participation of women and members of minority communities in the political process, and they did participate. The parliamentary elections in 2019 doubled the number of seats held by women, from 24 to 48. Women comprised 32 percent of members of parliament.

## **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials, but the government did not always implement the law effectively. There were numerous reports of government corruption.

During the year the government began development of a database of official corruption that includes the names of former corrupt government officials to prevent their re-employment with government. It also created a national council on anticorruption that includes civil society representatives. As a measure to reduce opportunities for solicitation of bribes, it introduced electronic processing of applications for registration and some government services. Authorities reported the conviction of for corruption of 9,000 individuals and the recovery of approximately 2.9 trillion soums (\$272 million) in illicitly obtained funds in prior years.

**Corruption:** On August 17, the president in an interview with the newspaper *New Uzbekistan* stated damage from official corruption offenses in the first five months of the year surpassed 450 billion soums (\$42 million) and that law enforcement agencies had opened 1,696 criminal cases of corruption against public officials.

There were numerous reported abuses similar to the following examples. On August 20, local media reported that law enforcement officials arrested First

Deputy Kokand City Mayor Nurmatov for corruption. He was detained with the deputy head of the Kokand Finance Department at the city railway station while in the process of receiving a \$10,000 cash payment. According to a media report, the officials “entered into a criminal conspiracy and demanded \$180,000 from a businessman to award construction contracts.”

On September 21, the head of the Main Department for Capital Construction in the khokimiyat of Chilanzar (district of Tashkent), B. Allamuratov, and accomplice Kh. Shukuraliev were convicted on several charges of fraud and bribery and sentenced to eight years’ and seven years and nine months’ imprisonment respectively. In June 2020 the two were arrested for taking a bribe of \$50,000 (after allegedly asking for \$1.4 million). The bribe was reportedly intended for assistance in registering ownership of an expensive land plot.

## **Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

Several domestic human rights groups operated in the country, although the government often hampered their ability to operate, investigate, and publish their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views, but at times the government harassed and intimidated human rights and civil society activists.

Harassment of activists continued to be a problem. Human rights activists and political opposition figures generally assumed that security agencies covertly monitored their telephone calls and activities.

There were numerous reported abuses similar to the following examples. On June 14, a senior police lieutenant came to the house of Fergana-based human rights defender Abdusalom Ergashev to take him to the Regional Department of Internal Affairs for a “conversation” with the investigator of the Regional Department of Internal Affairs Sherzod Dadajonov. Ergashev refused to go unless formally ordered to appear. Later investigator Dadajonov called Ergashev and invited him for a conversation, saying that he required a statement from him regarding his presence in Tashkent on May 26. Ergashev again refused, was subsequently

ordered to appear, and questioned regarding his knowledge of the possible candidacy of Jahongir Otajonov for president and regarding Mukhammad Solikh, leader of the opposition Erk Party.

International NGOs, including those that focus on human rights, continued to face obstacles in legally registering. The government did not allow unregistered international organizations to open bank accounts, unreasonably restricted the duration of validity of international NGO worker visas, and impeded efforts to overcome Supreme Court rulings banning certain international NGOs from registering and operating in the country.

**Government Human Rights Bodies:** The goals of the Human Rights Ombudsman's Office included promoting observance and public awareness of fundamental human rights, assisting in shaping legislation to comply with international human rights norms, and resolving cases of alleged abuse. The Ombudsman's Office is tasked with mediation of disputes among citizens who contact it and makes recommendations to modify or uphold decisions of government agencies, but its recommendations are not binding. The Ombudsman's Office is permitted to make unannounced inspections of prisons and had a separate division to investigate government abuse of businesses.

On September 11, a presidential decree was issued tasking the ombudsman to establish public groups to identify and prevent torture and to assigning a permanent regional ombudsman reporting directly to the Office of the Ombudsman.

The National Human Rights Center is a government agency responsible for educating the public and officials on the principles of human rights and democracy and for government compliance with international obligations to provide human rights information.

The Geneva-based UN Working Group on Enforced or Involuntary Disappearances had yet to receive a response to requests to visit the country dating back to 2011. In its 2019 annual report, the Geneva-based UN Working Group on Enforced or Involuntary Disappearances noted it still had seven outstanding cases from previous years. The working group reiterated its request to visit the country. The request was first issued in 2011.

## Section 6. Discrimination and Societal Abuses

### Women

**Rape and Domestic Violence:** The law defines rape as sexual intercourse committed by force, threats, or abuse of the helpless regardless of gender. Conviction of rape is punishable three to 20 years' imprisonment. There is no separate legally recognized category of spousal rape. Domestic violence is listed as a crime against health or against sexual freedom. By law mandatory reconciliation procedures may be imposed on survivors of domestic violence during divorce proceedings. The criminal and administrative codes do not include adequate provisions regarding punishment of convicted abusers. Protection orders may be issued, but activists stated they were of little use to the survivor who often remained confined with the abuser. According to the Ministry of Internal Affairs, 26,105 women received protection orders in the first eight months of year, but only 0.2 percent of abusers were prosecuted and only 18 percent of those convicted received prison sentences.

The government provided no data on the incidence of gender-based violence. According to civil society NGOs, the problem remained acute. Local media reported that on May 13, six drunk men raped an 18-year-old, five-months pregnant woman at a field camp in the Andijan Region. The Andijan Regional Investigation Department of Internal Affairs opened a criminal case, but no charges were filed due to lack of evidence; the evidence obtained could not "confirm the fact of rape." In October a deputy dean of a university in Tashkent was arrested for attempted rape of a female university student. In addition the deputy dean threw her out of a third-floor window when she resisted and called for help. The president's daughter, Saida Mirziyoyeva, made a public appeal to end violence and sexual harassment of women in public institutions following the incident.

Cultural norms discouraged women and their families from speaking openly regarding rape. Journalist and founder of an independent project seeking to combat domestic violence in the country *nemolchi.uz* (do not be silent), Irina Matvienko, stated that the inaction of law enforcement authorities regarding domestic violence led to suicide and homicide among women, including the killing

by women of their children when they took their own lives. On April 1, Mukhlisa Kadamboyeva, a 19-year-old native of Shavat District in the Khorezm Region, hanged herself in her husband's house. Kadamboyeva's parents reported she was beaten by her husband for borrowing money from a neighbor and for leaving the house without her husband's permission. On May 20, the Prosecutor's Office declined to open a criminal case of incitement to suicide against the husband but instead charged him with "light bodily injury."

There were government-run and some NGO-run shelters for survivors of domestic abuse and telephone hotlines for survivors seeking assistance. The government reported providing assistance to 247 women at government shelters. Survivors of domestic violence were also at government Centers for Rehabilitation and Adaptation. According to the Ministry for the Support of Community and Family Affairs, the hotline received 50 to 60 calls per day on average. Authorities provided women in the shelters with food, medicine, and hygiene products and funds to cover other expenses.

The Commission on Gender Equality of Uzbekistan, together with the UN Population Fund and the Center for Support of Civil Initiatives, operated a telephone hotline service during the COVID-19 pandemic quarantine period to act on reports of harassment and violence against women.

**Other Harmful Traditional Practices:** Polygamy is unofficially practiced in some parts of the country. The law punishes conviction of polygamy with up to three years' imprisonment and monetary fines but does not penalize women in such cases. The law does not confer the same rights, including property, inheritance, or child custody rights, to women in unregistered polygamous marriages as it does to those in registered marriages, making women in unregistered polygamous marriages particularly vulnerable to abuse and deprivation of rights when the spouse dies or ends the relationship.

**Sexual Harassment:** The law does not explicitly prohibit sexual harassment, but it is illegal for a male supervisor to coerce a woman having business or financial dependency into a sexual relationship. Social norms, lack of reporting, and lack of legal recourse made it difficult to assess the scope of the problem. Government efforts to enforce the law and prevent sexual harassment were unknown.

**Reproductive Rights:** Unlike in 2020 there were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

The law regulates reproductive health procedures permitting voluntary and informed consent for sterilization of an adult. Citizens had access to voluntary family planning, including the ability to choose methods of contraception. Women have the legal right to receive medical assistance for individual selection of contraceptive methods, based on their medical condition, age, and individual characteristics.

Contraception was not always available to men and women. Nevertheless, most districts had maternity clinics staffed by fully trained doctors who provided a wide range of prenatal and postpartum care. Menstrual health and hygiene products were available on the market but not accessible to all strata of the population, especially in poorer regions of the country. Poor sanitation and access to clean running water in rural areas was a challenge for menstrual hygiene, especially among school-age girls.

The government provided access to sexual and reproductive health services, including emergency contraception for women who reported sexual violence; however, activists reported the topic remained taboo and there were no official statistics on the number of cases.

**Discrimination:** The law provides for the same legal status and rights for women as for men in the areas of health care, education, science, culture, labor, and social protection.

By law women may own property, inherit goods, secure employment outside the home, obtain credit, and own and manage a business. Traditional views on the roles of women contributed to increased social difficulties for women pursuing their legal rights in these areas.

## **Systemic Racial or Ethnic Violence and Discrimination**

There are no legal impediments for citizens who belong to one of the country's ethnic minorities. By law all citizens have equal rights without regard to their ethnicity.

Complaints of societal violence or discrimination against members of ethnic minority groups were rare. The law does not require Uzbek language ability to obtain citizenship, but language often was a sensitive matter. Uzbek is the state language, and the constitution requires that the president speak it. The law also provides that Russian is “the language of interethnic communication.” There are criminal penalties for conviction of stirring up discord through inflammatory statements against other ethnic groups.

Officials reportedly reserved senior positions in the government bureaucracy and business for ethnic Uzbeks, although there were numerous exceptions.

There were no government programs to mitigate societal, racial, or ethnic biases.

## **Children**

**Birth Registration:** Citizenship is derived by birth within the country’s territory or from one’s parents. The government generally registered all births immediately.

**Medical Care:** While the government provided equal subsidized health care for boys and girls, those without an officially registered address, such as street children and children of migrant workers, did not have regular access to government health facilities.

**Child Abuse:** Legal protections against child abuse exist. Society generally considered child abuse to be an internal family matter. Little official information was available on the subject, including on the government’s efforts to combat it.

Human rights activists reported that patterns of child abuse existed and that law enforcement agencies often did not act on reports of violence and child abuse. On April 5, the Prosecutor’s Office of the Surkhandaryo Region reported that the Termez city prosecutor reversed the decision of the Termez Department of Internal Affairs to not conduct a criminal investigation into the repeated rape of a 16-year-old schoolgirl during a 14-month period and returned the case for further investigation. On April 11, the Criminal Investigation Department of the Termez Internal Affairs Department opened a criminal case (rape of a person whom the perpetrator knows to be younger than age 18) which is punishable if convicted by 10 to 15 years’ imprisonment).

**Child, Early, and Forced Marriage:** The minimum legal age for marriage is 18 for both sexes. District authorities may lower the age by one year in exceptional cases. In some rural areas, girls aged 15 or younger married men in religious ceremonies not officially recognized by the state.

**Sexual Exploitation of Children:** The law seeks to protect children from “all forms of exploitation,” including the sale, grooming, offering or procuring of children for commercial sexual exploitation, and practices related to child pornography.

Sexual exploitation of minors was a problem. The country was a source of sex trafficking victims and destination for sex tourism. Websites advertised the country as a sex tourism destination. Minors were exploited internally in brothels, clubs, and private residences and were trafficked abroad to the Middle East, Eurasia, and Southeast Asia.

The minimum age for consensual sex is 16. Conviction of involving a child in commercial sexual exploitation is punishable by a monetary fine and imprisonment of up to five years. The punishment for conviction for statutory rape is 15 to 20 years’ imprisonment. Conviction of the production, exhibition, and distribution of child pornography is punishable by a monetary fine or by three to five years’ imprisonment.

**Institutionalized Children:** According to UNICEF, more than 20,000 children with disabilities resided in institutions. Children placed in residential care for educational purposes were overrepresented in these institutions. The most recent reports from the State Statistics Agency, published in 2017, indicated that 84 percent of all children placed in residential care were children with disabilities, with children between ages seven and 17 representing the largest group.

**International Child Abductions:** The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State’s *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.



## **Anti-Semitism**

There were no reports of anti-Semitic acts or patterns of discrimination against Jews; however, Israeli military operations in Gaza in May prompted, for the first time in the country, online anti-Semitic discourse. There were eight registered Jewish congregations. Observers estimated the Jewish population at fewer than 10,000, concentrated mostly in Tashkent, Samarkand, the Fergana Valley, and Bukhara. Their numbers continued to decline due to emigration, largely for economic reasons.

## **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **Persons with Disabilities**

Persons with disabilities do not have access to education, health services, public buildings, and transportation on an equal basis with others. No information was available concerning enforcement, the imposition of monetary fines, or regarding patterns of abuse in educational and mental health facilities. Approximately 75 percent of persons with disabilities lived below the poverty line. Societal discrimination was a problem. According to the most recent government data available, in 2017 only 50 persons with disabilities were enrolled in higher education, but during the year the number rose to 4,853.

There were no reports of violence, intimidation, or abuse of persons with disabilities, but the Soviet legacy of discrimination, including segregating persons with disabilities from public view continued. In June the country ratified the United Nation's Convention on the Rights of Persons with Disabilities, and authorities initiated preparation of an action plan to implement its provisions.

Dated braille books published during Soviet times were provided to blind students and some adapted computers to students with vision disabilities.

The Ministry of Health controlled access to health care for persons with disabilities, and the Ministry of Employment and Labor Relations facilitated

employment of persons with disabilities.

The government mandates that urban and residential areas, airports, railway stations, and other facilities must provide for access to persons with disabilities, although there were no specific government programs implemented and activists reported difficulties with access. The law provides for monetary fines if buildings, including private shops and restaurants, are not accessible. Disability rights activists reported accessibility remained inadequate, noting, for example, that many of the high schools constructed in prior years had exterior ramps but no interior modifications to facilitate access by wheelchair users.

The government reported a total adult population of 755,000 persons with disabilities. Approximately 9,000 positions were reserved by the government for adults with disabilities, but only 896 adult persons with disabilities were employed in one of the designated positions. The law obliges public institutions and private enterprises, where at least 20 individuals are employed, to reserve at least 3 percent of jobs for persons with disabilities. Activists reported this law was rarely implemented or enforced. Activists noted the amounts of disability benefits and pensions were inadequate to the needs of socially vulnerable families due to the lack of an officially established minimum subsistence level.

In 2020 the city of Tashkent set aside 2,500 housing units for persons with disabilities.

The COVID-19 pandemic exacerbated the environment for persons with disabilities, as the cessation of public and private transport during the initial lockdown created food access problems for persons with disabilities. They therefore relied on episodic food assistance provided by mahalla committees.

## **HIV and AIDS Social Stigma**

The law protects those infected with HIV from discrimination and provides for free health care. The government reported an estimated 45,032 individuals were living with HIV, including more than 6,600 children younger than age 14. Coverage of HIV-infected adults with antiretroviral therapy was 58 percent, while coverage of children was 91 percent. The government reported there were 15 laboratory facilities at AIDS centers and 63 interdistrict laboratories.

Persons known to be HIV-positive reported social isolation and discrimination by public agency workers, health personnel, law enforcement officers, landlords, and employers after their HIV status became known. The military summarily expelled recruits in the armed services found to be HIV-positive. Some LGBTQI+ community activists reported that hospital wards reviewed the personal history of HIV-infected patients and summarily categorized them as drug addicts, homosexuals, or engaged in commercial sexual exploitation. Hospital officials reportedly sometimes marked HIV-infected patients' files as "homosexual" and referred them to police for investigation, because consensual same-sex sexual conduct between men is a criminal act in the country.

### **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity**

The law criminalizes consensual same-sex sexual conduct between men. Conviction is punishable by up to three years' imprisonment. The law does not criminalize consensual same-sex sexual conduct between women.

Authorities enforced the law. Human rights defenders reported at least five cases of persons who faced prosecution during the year. They speculated this could be due to information sharing between the Ministry of Health and the Ministry of Justice that was ostensibly intended to enable the Ministry of Justice to monitor HIV+ individuals to prevent the spread of disease. Human rights defenders believed authorities used this information to identify, charge, and prosecute gay HIV+ men.

On April 12, the Ministry of Internal Affairs reported that 49 men convicted of performing same-sex sexual acts were serving prison sentences and being subjected to "conversion therapy" or psychological treatment of the "disorder of homosexuality" in order to "eliminate repeat crimes and offenses."

Society generally considered same-sex sexual conduct a taboo subject. There were no known LGBTQI+ organizations. Deeply negative social attitudes related to sexual orientation and gender identity limited the freedom of expression of the LGBTQI+ community and led to discrimination. The law does not prohibit discrimination against LGBTQI+ persons in housing, employment, nationality

laws, and access to government services, such as health care.

Following the country's Universal Periodic Review in 2018, the government rejected recommendations related to decriminalization of LGBTQI+ status and called LGBTQI+ matters "irrelevant to Uzbek society." In 2020 the Uzbek delegation to the UN General Assembly voted for a Saudi-sponsored amendment to the Extrajudicial Killings Resolution stripping LGBTQI+ individuals of legal protections against extrajudicial killings.

According to human rights NGOs, authorities conducted compulsory rectal exams on persons suspected of same-sex sexual conduct. The Eurasian Coalition on Health, Rights, Gender and Sexual Diversity and the International Partnership for Human Rights documented at least four cases between 2017 and 2020 in which men were subjected to forced anal exams. On August 5, international rights groups urged the president to immediately order officials to abandon such evidentiary procedures. During the year Human Rights Watch reported a case in which physicians subjected two men to forced anal exams, which served as evidence in their conviction; the men were serving two-year prison sentences at year's end.

Human rights defenders alleged that security services used LGBTQI+ informants to entrap and blackmail men suspected of being gay. They alleged security services routinely told arrested LGBTQI+ persons they would serve prison time if they did not agree to serve as informants on other LGBTQI+ persons.

In November 2020 media reported that authorities arrested a senior Supreme Court staff member on charges of same-sex sexual conduct. The staff member was reportedly being extorted by a sexual partner for 46 million soums (\$17,000) to keep the relationship secret. The partner leaked videos he had filmed of the two having sex.

Media reported that on March 28, in downtown Tashkent a group of approximately 100 men violently protested against LGBTQI+ persons, yelling "Allah (God) is the greatest," beating random pedestrians and damaging cars. The group gathered in reaction to online posts by pro-LGBTQI+ blogger Miraziz Bazarov. Unknown assailants later severely beat Bazarov who was hospitalized for one month. Police detained approximately 70 persons, 31 of whom were charged with hooliganism

and various other offenses but not for assault. Human rights activists reported that in the wake of the attack, members of the LGBTQI+ community in Tashkent were being harassed by both local authorities and private citizens and were on “red alert,” and were seeking to avoid going out in public.

Regarding the March 28 violent protest, on March 30, Chair of the Public Fund for the Support and Development of Mass Media Komil Allomjonov chastised foreign organizations promoting LGBTQI+ rights, “before making any demands to Uzbekistan or any other country, foreign organizations must take into account the mentality, religion, culture, and traditions of the nation. In our country, where the majority are Muslims, society does not accept gay men and women.” Allomjonov stated the government could do little to protect LGBTQI+ individuals because, “even if laws against gay people are relaxed, society will not accept it, and they will only remain on paper (if) such groups begin to freely show themselves on the street, the number of lynchings will increase significantly (and) small riots will lead to big problems.”

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law allows workers to form and join independent unions and bargain collectively. Despite their legal status, no independent labor unions operated in the country. The law neither provides for nor prohibits the right to strike, but it prohibits antiunion discrimination. The law on trade unions states that workers may not be fired due to trade union membership, but it does not clearly state whether workers fired for union activity must be reinstated. Volunteers in public works and workers employed by individuals without documented contracts do not have strong legal protections of their rights.

Government officials imposed restrictions on the registration of independent trade unions. Although the country ratified the International Labor Organization (ILO) Convention 87 on Freedom of Association, little progress had been achieved in this field, as workers, farmers and cotton pickers have not been able to exercise the right of collective bargaining and representation of their interests through independent trade unions. The state-controlled Federation of Trade Unions of

Uzbekistan (FTUU) is the only operating labor union of any kind in the country.

Despite the adoption of a law on trade unions in 2019, which prohibits the interference of government bodies in the trade union activities, the state still retains significant control. Local critics noted that the protection of workers' rights and interests in organizations and the freedom to elect union leaders had been withheld.

The law provides penalties for violating freedom of association laws. Penalties were not commensurate with those for other laws involving denials of civil rights, such as discrimination. The government amended the law on "professional unions, rights, and guarantees of their activities." Despite legal protections for professional unions, workers had not successfully formed or joined independent unions. Workers believed that attempts to create independent alternative unions would be repressed. FTUU unions remained centralized, controlled by, and dependent on the government.

The FTUU included in its ranks more than 35,000 primary organizations and 14 regional trade unions, according to official reports. Regional and industrial trade unions remained managed by the state.

Government-organized unions did not undertake independent bargaining on behalf of their members. Government ministries, including the Ministry of Agriculture, in consultation with the Federation of Trade Unions, continued to set wages for government employees and production quotas in certain sectors. The government moved toward letting the market determine prices in a larger number of sectors than in previous years. In the private sector, management established wages or negotiated them individually with persons who contracted for employment. Labor arbitration was underdeveloped.

On March 19, more than 200 workers at Indorama Argo in the Syrdarya Region met to establish an independent trade union Xalq Birligi (People's Unity). It was subsequently registered as Trade Union Under Indorama Agro under the FTUU. In 2020 and during the year, the European Bank of Reconstruction and Development (EBRD) and the International Finance Corporation (IFC) provided \$130 million in loans to Indorama Agro to support the company's operations, including the economic inclusion of young men and women. Company employees complained

of massive job cuts, poor working conditions, unfair payment, gender discrimination and retaliation against complaints. The workers lacked collective bargaining power against the company, while state-controlled trade unions like FTUU failed to provide support. The trade union registration process resulted in intimidation from the government and pressure from the FTUU to join as a member, which is ultimately what occurred. Twelve international organizations, including the EBRD and the IFC, released a joint statement urging the government to register the first independent trade union. The effort to form this union was ultimately unsuccessful and the proposed union leader, Roza Agaydarova, was subjected to pressure both by Indorama and the government to cease her labor organizing activities.

## **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor, except as legal punishment for conviction of such offenses as robbery, fraud, or tax evasion or as specified by law. Certain sections of the criminal code allow for compulsory labor as a punishment for conviction of offenses including defamation and incitement of national, racial, ethnic, or religious enmity. The government effectively enforced the law, but penalties were not commensurate with those for conviction of other analogous serious crimes, such as kidnapping.

Inspectors from the Ministry of Employment and Labor Relations have authority to enforce laws on forced labor. The lead for matters related to forced labor or trafficking in persons is the special rapporteur of the National Commission on trafficking in persons and forced labor. The ILO increased the scope of its third-party monitoring on child and forced labor in the cotton harvest during the year.

Government-compelled forced labor of adults remained in other sectors as well. Despite a government prohibition against forced labor, reports continued of local officials forcing rural farmers to work in noncotton agriculture and other adults to clean parks, streets, and buildings. Officials occasionally compelled labor by labeling these tasks as *hashar*, voluntary work for the community's benefit.

Men were most likely to be exploited abroad as migrant laborers and women were most likely to be forced to labor in country. Instances of child exploitation

continued to be reported in country. The government increased its efforts to combat all forms of forced labor. During the year the government informed the public of the prohibition against forced labor, including in the annual cotton harvest. Harvesters typically came from groups such as impoverished families, unemployed persons, and housewives.

With the elimination of government-mandated cotton production quotas, local officials are no longer officially responsible for mobilizing sufficient labor to meet established production targets in the harvest, which in previous years had been a key driver of forced labor. The government continued to take steps towards privatizing the cotton sector by expanding cotton “clusters.” Cotton clusters are private, vertically integrated enterprises (from farm to finished product) that receive land concessions from the government to either farm cotton directly or contract with cotton farmers in each district.

Activists noted that many of these “clusters” are headed by district khokims which left open many opportunities for abuse and left populations vulnerable to forced labor.

The ILO found no evidence of systemic forced labor in the annual cotton harvest. Responsibility for overseeing government efforts to end forced labor and trafficking in persons resides with the National Commission on Trafficking in Persons and Forced Labor. The commission is divided into subcommittees for trafficking in persons, chaired by the minister of internal affairs, and for forced labor, chaired by the minister of employment and labor relations. Both act as deputy chairs to the commission itself. Tanzila Narbaeva, who also served as chair of the Senate, continued to fulfill the role of special rapporteur for the commission. The government-empowered special rapporteur reports directly to the president. Regional-level bodies report to the commission on implementation of laws and regulations related to forced labor and trafficking in persons.

The government maintained formal prohibitions on the use of forced labor in all economic sectors and worked to enforce these provisions. Administrative penalties against the use of forced labor include a monetary fine for first offense. Secondary offenses are criminalized. The Ministry of Employment and Labor Relations reported five cases of forced labor were under investigation at year’s end. The



ministry also reported 154 trafficking crimes were identified, of which 94 involved sexual exploitation.

The government allowed the ILO access in real time to a government feedback mechanism for reporting labor violations to assess how well it responded to complaints. Additionally, the government made efforts to meet with international organizations, NGOs, civil society organizations, and local activists to discuss the problem of forced labor publicly and to receive feedback, including suggestions and criticism to enable it to improve its approach to forced labor in the cotton harvest. The government acknowledged its problem with forced labor and sought assistance to eliminate it.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits the worst forms of child labor. The law sets the minimum working age at 16 and provides that work must not interfere with the studies of those younger than 18. The law does not allow children younger than 15 to work, but this provision was not always observed. Children at age 15, with permission from their parents, may work a maximum of 24 hours per week when school is not in session and 12 hours per week when school is in session. Children ages 16 through 18 may work 36 hours per week while school is out of session and 18 hours per week while school is in session. Decrees stipulate a list of hazardous activities forbidden for children younger than 18 and prohibit employers from using children to work under specified hazardous conditions, including underground, underwater, at dangerous heights, and in the manual harvesting of cotton, including cotton harvesting with dangerous equipment.

Children were employed in small-scale family agriculture; in family businesses, such as bakeries and convenience stores; and in the provision of some kinds of services.

Inspectors from the Ministry of Employment and Labor Relations have authority to enforce laws on child labor, and they effectively enforced the law. Penalties were not commensurate with those for conviction of analogous crimes, such as

kidnapping. Reports indicated that child labor was not widespread, although cotton harvest monitors identified isolated instances of child labor violations in the production and harvest of cotton as well as commercial sexual exploitation.

There was no evidence of any government-compelled child labor. The government prohibition against the use of students in the cotton harvest remains in force.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

#### **d. Discrimination with Respect to Employment and Occupation**

Laws and regulations prohibit discrimination with respect to employment and occupation based on race, gender, religion, and language. The labor code states that differences in the treatment of individuals deserving of the state's protection or requiring special accommodation, including women, children, and persons with disabilities, are not to be considered discriminatory. The law prohibits women from working in 355 professions in 98 different industries, because of possible adverse effect to women's health. The law does not prohibit discrimination based on sexual orientation or gender identity, age, political opinion, national origin or citizenship, or social origin. HIV-positive individuals are legally prohibited from being employed in certain occupations, including those in the medical field that require direct contact with patients or with blood or blood products as well as in cosmetology or haircutting. There were insufficient publicly available data to determine government enforcement of these laws and regulations and no data were available on instances of government actions to deal with cases of illegal discrimination. Penalties were commensurate to laws related to civil rights, such as election interference.

The labor code prohibits refusing employment based on an applicant's criminal record or the criminal record of a close relative.

#### **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** The law provides for a national minimum wage. In 2020 the president publicly acknowledged that between 12 percent and 15 percent of the population (between four and five million persons) lived at or below the poverty

level. The law establishes a standard workweek of 40 hours and requires a 24-hour rest period. The law provides for paid annual holidays. The law provides overtime compensation as specified in employment contracts or as agreed with an employee's trade union. Such compensation may be provided in the form of additional pay or leave. The law states that overtime compensation should not be less than 200 percent of the employee's average monthly salary rate. Additional leave time should not be less than the length of actual overtime work. An employee may not work more than 120 hours of overtime per year, but this limitation was not generally observed, particularly in the public sector. The law prohibits compulsory overtime. The government effectively enforced these laws in the formal economy. Penalties for violations of wage and overtime laws were not commensurate with those for similar crimes, such as fraud. No data were available on enforcement of these laws in the informal economy.

**Occupational Safety and Health:** The Ministry of Employment and Labor Relations establishes and enforces occupational health and safety standards in consultation with unions. According to the law, health and safety standards should be applied in all sectors. The government effectively enforced these laws in the formal economy. No data were available on enforcement of these laws in the informal economy. Penalties for violations of occupational health and safety laws were not commensurate with those for crimes, such as negligence.

The law provides that workers may legally remove themselves from hazardous work if an employer fails to provide adequate safety measures for the job, and the employer must pay the employee during the time of the work stoppage or provide severance pay if the employee chooses to terminate employment. Workers generally did not exercise this right because it was not effectively supported, and employees feared retribution by employers. The law requires employers to protect against civil liability for damage caused to the life or health of an employee in connection with a work injury, occupational disease, or other injury to health caused by the employee's performance on the job. In addition a company's employees have the right to demand, and the administration is obliged to provide them with, information on the state of working conditions and safety at work, available personal protection means, benefits, and compensations.

The Ministry of Employment and Labor Relations maintains protocols requiring

investigation into labor complaints within five business days. The ministry or a local governor's office could initiate a selective inspection of a business, and special inspections were conducted in response to accidents or complaints. Inspectors do have the authority to make unannounced inspections and initiate sanctions. Reports suggested that enforcement was uneven because of the difficulty and size of the informal economy, where employment was usually undocumented. Despite an increase in the number of labor inspectors in prior years, the Ministry of Employment and Labor Relations lacked adequate staff to enforce compliance and prevent many violations in the informal sector. The most common labor violations were working without contracts, receiving lower than publicly announced payments, delayed payments, and substandard sanitary or hygienic working conditions. The government did not provide statistics on industrial accidents.

**Informal Sector:** Many employees had official part-time or low-income jobs and many continued to work informally. In April the International Monetary Fund estimated the informal sector employed approximately 40 percent of the workforce and produced one-third of GDP. The government worked to shift more of the economy from informal to the formal economy and to provide labor and social protections to those working informally.

The most common violations committed by private sector employers were violations of wage, overtime, and occupational health and safety standards. Although regulations provide standards for workplace safety, workers reportedly worked without necessary protective clothing and equipment at some hazardous job sites. More specific information was not available on sectors in which occupational safety violations were common, as well as on specific groups of workers who worked in dangerous conditions or without needed safety equipment. In March 2020 the country joined the Commonwealth of Independent States' Interstate Council for Industrial Safety to improve its industry safety standards.